

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NAYANI DAVID TEICHNER,

Plaintiff,

v.

BERKELEY BOWL PRODUCE, INC.,

Defendant.

Case No. [22-cv-06202-WHO](#)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

Re: Dkt. Nos. 22, 24

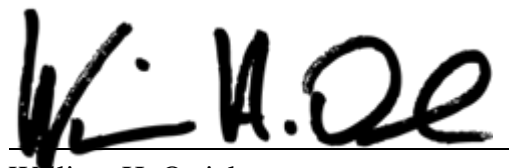
On January 25, 2023, pro se plaintiff Nayani David Teichner filed a “voluntary notice to withdraw the case.” Dkt. No. 22. The next day, defendant Berkeley Bowl Produce, Inc., requested an order “specifying that this entire action has been dismissed, with prejudice.” Dkt. No. 24. On January 30, 2023, the plaintiff filed an amended notice clarifying that his voluntary dismissal was without prejudice. Dkt. No. 25.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), the plaintiff may dismiss the action at this juncture by filing a notice of dismissal. Because the initial notice did not state otherwise, under Rule 41(a)(1)(B) “the dismissal is without prejudice.” *See* Fed. R. Civ. P. 41(a)(1)(B). The amended notice confirms this, and the defendant has provided no reason for departing from the Rule. *See* Dkt. Nos. 24, 25.

In accordance with the plaintiff’s filings and Rule 41(a)(1), this matter is DISMISSED WITHOUT PREJUDICE. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: January 30, 2023



William H. Orrick
United States District Judge